

- a. he is using his personal residence or premises under his exclusive control, or
- b. he is using a facility, as a member, as defined in subdivision (2) of this section, and said facility has a valid permit from the State Board of Alcoholic Control for this purpose; or
- c. he is using a commercial establishment or any part thereof for a private meeting or party limited in attendance to members or guests of a particular person, group, association, or organization, and said commercial establishment has obtained a permit from the State Board of Alcoholic Control for this purpose.

(4) Restaurants and Related Places. It shall be unlawful for any person to possess or consume any alcoholic beverages of any and all kinds, other than fortified wines (which contain more than fourteen per cent (14%) of alcohol by volume) on the premises of any business establishment that is not permitted under subdivisions (1), (2), or (3) of this section unless said establishment meets the following requirements:

- a. the premises have an inside dining area with a seating capacity of at least 36 persons and a separate kitchen facility; and
- b. the business is engaged primarily and substantially in preparing and serving meals or furnishing lodging; and provided further, that the State Board of Alcoholic Control shall have broad power to examine the type and nature of the business and the combination and location of separate or affiliated businesses at the same location to determine if the establishment is a bona fide restaurant-type facility; and
- c. the business has a valid permit from the State Board of Alcoholic Control for this purpose, including the requirement that the business post the type of notices required by said Board.

(5) Unlawful Possession or Use. It shall be unlawful for:

- a. Any person to drink alcoholic beverages or to offer a drink to another person
 - i. on the premises of a county or municipal liquor control store, or
 - ii. upon any premises used or occupied by a county or municipal alcoholic control board, or
 - iii. on any public road, street, or highway.
- b. Any person to make any public display of alcoholic beverages at any athletic contest.
- c. Any person to possess or consume any alcoholic beverages upon any of the premises designated under subdivisions (2), (3), or (4) of this section, unless there is conspicuously displayed a valid permit or notice on said premises from the State Board of Alcoholic Control.
- d. Any person, association, or corporation to permit any alcoholic beverages to be possessed or consumed upon any premises not authorized by this Chapter.
- e. Any person to possess or consume any alcoholic beverages upon any premises where such possession or consumption is not authorized by law, or where said person has been forbidden to possess or consume alcoholic beverages by the owner, operator, or person in charge of said premises.